



State of South Carolina

Office of the Governor

MARK SANFORD
GOVERNOR

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March 8, 2004

The Honorable David H. Wilkins
Speaker of the House of Representatives
Post Office Box 11867
Columbia, South Carolina 29211

Mr. Speaker and Members of the House:

I am hereby returning without my approval H. 4700, R-208, a Joint Resolution:

TO PROVIDE THAT SCHOOL DAYS MISSED ON JANUARY 26 AND 27, 2004, BY THE STUDENTS OF SCHOOLS IN BAMBERG-EHRHARDT SCHOOL DISTRICT 1 AND DENMARK-OLAR SCHOOL DISTRICT 2 IN BAMBERG COUNTY WHEN THE SCHOOLS WERE CLOSED DUE TO ICE OR INCLEMENT WEATHER CONDITIONS ARE EXEMPTED FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO EXTREME WEATHER OR OTHER CIRCUMSTANCES BE MADE UP.

This veto is based on the intention upon which Act 89 of 2003 was signed by me on July 23, 2003. When I signed this legislation last year, it was my aim to give school districts a series of options to make up missed school days. My opposition to legislation like H. 4700 is that it is unnecessary given the enactment of Act 89.

Section 1 of Act 89 (Section 59-1-430(A) of the South Carolina Code of Laws) states that, "[a]ll school districts shall designate annually at least three days within their school calendars to be used as make-up days in the event of . . . [snow, extreme weather conditions, or other disruptions requiring schools to close]."

As a result of this requirement, Bamberg-Ehrhardt School District 1 designated February 13, February 16, and March 7 as make-up days. All of the scheduled make-up days took place after the missed school days of January 26 and 27, 2003. However, District 1, unlike many other school districts throughout South Carolina, has opted to appeal to the General Assembly for relief under § 59-1-430(B) which allows the General Assembly to excuse all missed school days.

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Denmark-Olar School District 2 designated February 13, March 5, and May 26 as make-up days under the law. As a contrast to District 1, District 2 has already used February 13 and March 5, as their designated make-up days, and therefore is not in need of legislative relief.

As a policy, we should require school districts to exhaust their make-up days prior to providing legislative relief under § 59-1-430(B), except in extremely unusual circumstances. Currently, many school districts have either proceeded with using their scheduled make-up days or intend to do so. I believe Act 89 should be applied uniformly to all school districts such that school districts should not obtain legislative relief before making up its missed days.

For this reason, I am returning H. 4700, R-208 to you without my signature.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Sanford', with a stylized, flowing script.

Mark Sanford